

Remarks/Arguments:

As of the Action, Claims 1-6, 8-13, and 16-20 are pending in the Application. All Claims stand rejected.

By this filing, Applicant responds to the Action. Applicant neither amends the Claims nor introduces any new claims.

Applicant adds no new matter.

In view of the Claims as set forth above and the remarks below, Applicant respectfully requests reconsideration and further examination of this Application.

Rejections of Claims: The Action rejects all Claims under 35 U.S.C. §102(b) and §103(a) as being, respectively, anticipated by and unpatentable over Todokoro et al, U.S. Patent No. 5,659,328 (the "Reference").

As to Claim 1, the Action states that the Reference teaches, among other things, as to a driver circuit: (i) a means for storing a basic setting of an adjustable characteristic of a driver circuit (citing the Reference's Fig. 1, items 8, 11 and Col. 8, line 57 to Col. 9, line 2) and (ii) a means for storing a correction factor to correct the basic setting of the adjustable characteristic (citing the Reference's Fig. 1, item 8 and Col. 8, lines 60-62).

Applicant respectfully traverses the Action's rejections. Indeed, Applicant submits that, even if the Reference is at all relevant to any of the Application's Claims, the Action omits to make a case for the Reference teaching or suggesting all of Applicant's elements, and arrangements thereof, as set out in the Claims.

As to Claim 1, in a non-exhaustive example, nowhere do the Action's citations to the Reference indicate disclosure as to Applicant's "correction factor", let alone Applicant's "means" for storing that correction factor.

To illustrate these gaps in the Action, these remarks now assume, for argument's sake only, that the Action's citations to the Reference indicate some disclosure that teaches Applicant's "adjustable characteristic". To meet the assumption, the Reference's "initial value" could be argued to serve to teach Applicant's "adjustable characteristic." Indeed, the assumption appears to hold together, in that the Action's citations to the Reference include disclosure that the "initial value" is a "characteristic" (see Reference, Col. 8, line 64) of the Reference's emitting devices "in the initial stages after the fabrication" (see Reference, Col. 8, line 66 to Col. 9, line 2). This assumption leads to the Reference's "correction value" of "memory" (Reference item 8) serving as the value that teaches Applicant's "basic setting".

While the assumption appears to hold together as to Applicant's "adjustable characteristic", the assumption would then lead to the Reference's "correction value" of "memory" (Reference, Item 8) serving to teach Applicant's "basic setting".

However, at this point, the assumption breaks down by inevitably leading to failure in the Action's rejections as to other elements of the Applicant's Claim 1. This is because, with the "initial value" assumed to teach to Applicant's "adjustable characteristic" (both to be consistent with the Reference's disclosures and to meet all the elements of Applicant's Claim 1 directed to the "basic setting"), the "initial value" cannot teach either Applicant's "basic setting" or "correction factor". As well, with the Reference's "correction value" teaching Applicant's "basic setting", the Action provides no citation to the Reference that indicates any teaching of either (a) a value that may be argued to teach Applicant's "correction factor" or (b) any structure that may be argued to teach Applicant's "means" that stores that correction factor.

Moreover, the above assumption cannot be replaced with a new assumption according to which the Reference's "initial value" is said to teach the "basic setting". Any such new assumption fails because it requires violating the Reference's teachings as to the "initial value" being a "characteristic" (as per the Action's citations to the Reference at Col. 8). Moreover, any

such new assumption fails because it also means that the Action omits citation to the Reference as to any value that could arguably teach Applicant's "adjustable characteristic".

In sum, as to Claim 1, the Action does not provide a case for either anticipation or obviousness based on the Reference in that the Reference fails to show all the elements (and arrangements thereof) as per that Claim. As to Claims 2-5 and 9, the Action cannot provide a case for anticipation or obviousness for the same reasons as set forth for Claim 1 in that each of these Claims depends from (and thus includes the elements of) Claim 1.

As to independent Claims 6, 10, and 18, as well as Claims depending respectively therefrom, each such Claim recites apparatus- or step-elements directed to the above-described omitted elements. Accordingly, the Action does not provide a case for either anticipation or obviousness of any such Claim based on the Reference, again for the same reasons as set forth for Claim 1.

In view of the foregoing, Applicant requests that these rejections be reconsidered and withdrawn.

CONCLUSION

Generally, in this Amendment and Response, Applicant has not raised all possible grounds for (a) traversing the rejections of the Action or (b) patentably distinguishing the new Claims (i.e., over the cited references or otherwise). Applicant, however, reserves the right to explicate and expand on any ground already raised and/or to raise other grounds for traversing and/or for distinguishing, including, without limitation, by explaining and/or distinguishing the subject matter of the Application and/or any cited reference at a later time (e.g., in the event that this Application does not proceed to issue with the Claims as herein amended, or in the context of a continuing application). Applicant submits that nothing herein is, or should be deemed to be, a disclaimer of any rights, acquiescence in any rejection, or a waiver of any arguments that might have been raised but were not raised herein, or otherwise in the prosecution of this

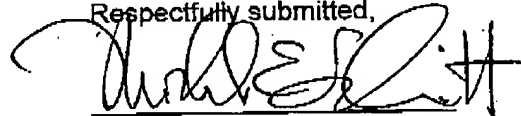
Application, whether as to the original Claims or as to any of the new Claims, or otherwise. Without limiting the generality of the foregoing, Applicant reserves the right to reintroduce one or more of the original Claims in original form or otherwise so as to claim the subject matter of those Claims, both/either at a later time in prosecuting this Application or in the context of a continuing application.

Applicant submits that, in view of the foregoing remarks and/or amendments, the Application is in condition for allowance, and respectfully requests reconsideration and favorable action.

The Commissioner is hereby authorized to charge any fees (including extension fees), additional fees, or underpayments, or to credit any overpayments, to the undersigned attorney's Deposit Account No. 50-1001; provided, however, that such fees, underpayments or overpayments must arise solely in connection with this Amendment and Response. Otherwise, the Commissioner should review and follow any authorization previously given by Applicant to charge certain such fees and credit certain such overpayments to the Applicant's separate Deposit Account (No. 14-1270).

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Respectfully submitted,



Michael E. Schmitt
Registration No. 36,921
P. O. Box 2200
Hillsboro, Oregon 97123
Telephone: (503) 844-9009
Facsimile: (503) 296-2172
email: mail@ganzlaw.com

Correspondence to:

Philips Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131 USA
Telephone: (408) 474-9073; Facsimile: (408) 474-9082
USPTO Customer Number: 24738
